REMARKS

Claims 1-16 are pending in this application.

Claim Objections

Claim 17 has been canceled by this amendment, rendering this claim objection moot.

Claim Rejections – 35 USC § 112

Claim 5 has been amended by replacing 'communication' by 'communications', for which there is antecedent basis in line 3 of claim 1, claim 5 depending from claim 1.

Claim Rejections – 35 USC § 102

Claims 1-17 stand rejected under U.S.C. 102(e) as being anticipated by Anderson et al. ("Anderson", U.S. Pat. No. 6,233,332.)

The Examiner asserts that each of the features set out in present claim 1 is shown in Anderson. Applicant respectfully disagrees with this assessment of the relevance of the reference to the present invention.

Claim 1 requires monitoring the interaction of the user with the information source, one or more of the rules using the monitored interaction with the information source to assign a position in the queue to the user, wherein the information source is a Web server and the user accesses the information source using a Web browser. Anderson does not disclose using such monitored interaction to assign a position in the queue.

Anderson is concerned with a system for handling customer calls using anymedia. According to column 8, lines 28-43, calling customers may be placed in a queue in true order of arrival fashion, regardless of the media used to serve the call connections. An alternative is given, where it is suggested that "any other queuing algorithm desired" may be used.

In Anderson, the only example of placing a customer in a queue other than by time of arrival appears to be that related to previous call failures, as set out at column 10, lines 3-34. A customer is identified as being of high value and thus to be quickly connected, even if the call center is overloaded. This feature of the system described by Anderson does not mention any use of Web browsing information, for example, to place the call at the top of the queue.

Where browsing behavior is mentioned in Anderson, at column 9, lines 19-22, and lines 43-67, it is to provide context to the customer's call so as to enable the call center to more effectively serve the customer. For example, it may take into account customer preferences (Column 9, lines 60-62.)

It is respectfully submitted that reference by Anderson to "any other queuing algorithm desired" is not sufficient to anticipate the specific <u>assigning of positions in a queue</u> as set out in claim 1, and therefore it is further submitted that the invention as claimed in claim 1 is patentable. Similar reasoning applies to the other independent claim, claim 13, which is also thus patentable. The remaining claims are all dependent on allowable claims and for this reason at least are also allowable.

Applicant requests reconsideration of this application based on this amendment. If the Examiner should feel that the application is not yet in a condition for allowance and that a telephone interview would be useful, he is invited to contact applicants' undersigned attorney at **908-582-7886.**

Respectfully submitted,

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By

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